

Zachary P. Takos, Esq., Nevada Bar No. 11293  
**TAKOS LAW, LTD.**  
1980 Festival Plaza Drive, Suite 300  
Las Vegas, Nevada 89135  
Telephone: 702.856.4629  
Facsimile: 702.924.4422  
Email: zach@takoslaw.com

Counsel for Eagle Rock Asset Management, LLC

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

THE BANK OF NEW YORK MELLON  
FKA THE BANK OF NEW YORK AS  
TRUSTEE FOR THE  
CERTIFICATEHOLDERS OF THE  
CWABS, INC. ASSET-BACKED  
CERTIFICATES, SERIES 2005-12,

Plaintiff,

v.

STEWART TOWN HOMEOWNERS  
ASSOCIATION; EAGLE ROCK ASSET  
MANAGEMENT, LLC; ABSOLUTE  
COLLECTION SERVICES, LLC;

Defendants.

Case No. 2:17-cv-00128

**STIPULATION AND [PROPOSED]  
ORDER TO EXTEND TIME TO  
RESPOND TO COMPLAINT**

**(Third Request)**

Pursuant to Local Rule IA 6-1 of the United States District Court for the District of Nevada, Defendant Eagle Rock Asset Management, LLC ("Eagle Rock") and Plaintiff The Bank of New York Mellon f/k/a The Bank of New York as Trustee for the Certificateholders of the CWABS, Inc. Asset-Backed Certificates, Series 2005-12 ("BNY Mellon"), by and through their respective undersigned counsel, hereby stipulate as follows:

1. BNY Mellon filed its Complaint on or about January 13, 2017;
2. Eagle Rock was served with the Complaint on or about January 17, 2017;
3. Eagle Rock's deadline to respond to the Complaint was February 7, 2017;

1           4.       The parties previously agreed, and the Court ordered, that Eagle Rock's time to  
2 respond to the Complaint be extended until March 23, 2017, to allow time for Eagle Rock to  
3 finalize a settlement agreement impacting this case;

4           5.       Through no fault of Eagle Rock, the settlement agreement is not yet finalized, but  
5 Eagle Rock believes it will be finalized shortly;

6           6.       Accordingly, BNY Mellon and Eagle Rock have agreed that Eagle Rock shall have  
7 additional time to respond to the Complaint, through and including April 28, 2017;

8           7.       This is the third such request;

9           8.       The additional time for Eagle Rock to answer or otherwise respond to BNY  
10 Mellon's Complaint will not alter the date of any event or deadline already fixed by the Court or  
11 prejudice any party;

12           8.       Good cause exists to grant the stipulation as the additional time is needed to allow  
13 the settlement agreement to be finalized;

14           8.       BNY Mellon and Eagle Rock agree that Eagle Rock shall have up to and including  
15 April 28, 2017, to file a responsive pleading to BNY Mellon's Complaint.

16           IT IS SO STIPULATED.

17           DATED this 17<sup>th</sup> day of April, 2017.

18           TAKOS LAW, LTD.

19  
20           /s/ Zachary P. Takos  
21           Zachary P. Takos, Esq., NV Bar No. 11293  
22           1980 Festival Plaza Drive, Suite 300  
23           Las Vegas, Nevada 89135  
24           Counsel for Eagle Rock

25           IT IS SO ORDERED.

              DATED this 17<sup>th</sup> day of April, 2017.

              AKERMAN LLP

/s/ Vatana Lay  
              Melanie D. Morgan, Esq., NV Bar No. 8215  
              Vatana Lay, Esq., NV Bar No. 12993  
              1160 Town Center Drive, Suite 330  
              Las Vegas, Nevada 89144  
              Counsel for BNY Mellon

  
              UNITED STATES DISTRICT COURT JUDGE/  
              UNITED STATES MAGISTRAGE JUDGE

              DATED:    April 18, 2017

              CASE NO. 2:17-cv-00128